

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

TYRONE NOEL NUNN,

Plaintiff,

v.

STATE OF NEVADA, *et al.*,

Defendants.

Case No. 3:23-cv-00375-MMD-CLB

ORDER

Pro se Plaintiff Tyrone Noel Nunn, who is an inmate in the custody of the Nevada Department of Corrections, brings this action under 42 U.S.C. § 1983. Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Carla L. Baldwin (ECF No. 8), recommending that the Court dismiss this action without prejudice based on Nunn’s failure to pay the filing fee or file a fully complete application to proceed *in forma pauperis* (“IFP”). Nunn had until September 20, 2023, to file an objection. To date, no objection to the R&R has been filed.¹ For this reason, and as explained below, the Court adopts the R&R in full and dismisses this action without prejudice.

Because there is no objection, the Court need not conduct *de novo* review and is satisfied Judge Baldwin did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original). Here, Judge Baldwin recommends dismissing this action without prejudice because Nunn has failed to comply with the Court’s order to either pay the filing fee or file a complete IFP, and has been warned that failure to comply will result in dismissal of this case. (ECF No. 8 at 2.) Having

¹Nunn has filed multiple motions for appointment of counsel that the Court will deny as moot.

1 reviewed the R&R and the record in this case, the Court will adopt the R&R in full.

2 It is therefore ordered that Judge Baldwin's Report and Recommendation (ECF
3 No. 8) is accepted and adopted in full.

4 It is further ordered that this action is dismissed without prejudice and all pending
5 motions for appointment of counsel (ECF Nos. 4, 6, 7, 9, 11-19) and motions for
6 correspondence (ECF No. 10) are denied as moot.

7 The Clerk of Court is directed to enter judgment accordingly and close this case.

8 DATED THIS 8th Day of November 2023.

9
10 

11

MIRANDA M. DU
12 CHIEF UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28